

EXHIBIT 83

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF NEW YORK, et al.

Plaintiffs,

v.

ROBERT F. KENNEDY, JR., in his official capacity as SECRETARY OF THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, et al.,

Defendants.

Case No. 1:25-cv-00196

SUPPLEMENTAL DECLARATION OF JANE DOE 4

I, Jane Doe 4, hereby declare:

1. I am over the age of 18, competent to testify as to the matters herein, and make this declaration based on my personal knowledge of the Office on Smoking and Health (OSH), part of the National Center for Chronic Disease Prevention and Health Promotion (NCCDPHP) within the Centers for Disease Control and Prevention (CDC).

2. I previously submitted a declaration in this matter. It is in the docket as ECF No. 55-5. I reincorporate and restate the matter in that declaration.

3. I am submitting this declaration pseudonymously because I fear retaliation. But if the Court would like to know my name or job position, I would be willing to provide it ex parte and under seal.

4. To date, no one has been reinstated at OSH. If unaddressed, this will lead to many problems.

5. *First*, on Wednesday, July 16, CDC asked states to submit their National Tobacco Control Program continuation application by Monday, July 21—giving states just three business days to apply for continued funding and technical support for state tobacco control programs. Additionally, state program managers remain unavailable to process and approve the submissions, so there is no reason to expect the applications will be approved and submitted on time. CDC does not have any tobacco experts on staff to work on OSH’s programmatic portfolio, determine whether the activities planned by awardees are allowable, or provide technical assistance on program delivery.

6. *Second*, the Department of Health and Human Services have begun transitioning the management of the contract for the National Youth Tobacco Survey (NYTS), which had been run by experts within OSH for years, to the U.S. Food & Drug Administration (FDA). Although FDA maintains data analysts who may be capable of analyzing the 2025 survey, it is unclear whether the FDA will be able to issue a contract in time to field a 2026 survey.

7. The State Tobacco Activities Tracking and Evaluation (STATE) System, which presents data used to assess tobacco prevention and control activities and tobacco cessation policies in states as well as serves as a national clearinghouse information source and resource for the public, is typically updated quarterly, but has not been updated since September 2024.

8. The Media Campaign Resource Center, which provides free and low-cost tobacco education campaign materials, is still “unable to process orders at this time.” A true and correct copy of the Media Campaign Resource Center website is attached hereto as Exhibit A. Media Campaign Resource Center, U.S. Ctrs. for Disease Control and Prevention, <https://nccd.cdc.gov/MCRC/Index.aspx> (last visited July 23, 2025).

9. I declare under penalty of perjury under the laws of the United States of America
that the foregoing is true and correct.

DATED and SIGNED this 24 day of July 2025 at Atlanta, GA.



Jane Doe 4
Office on Smoking and Health
National Center for Chronic Disease Prevention and Health
Promotion
Centers for Disease Control and Prevention

Exhibit A

[Help](#) [Register](#) [Log In](#)**MCRC**

We are currently unable to process orders at this time.

MCRC | MEDIA CAMPAIGN RESOURCE CENTER

OR [BROWSE THE COLLECTION](#)

SAVE TIME, MONEY, AND LIVES

[SEARCH MCRC](#)

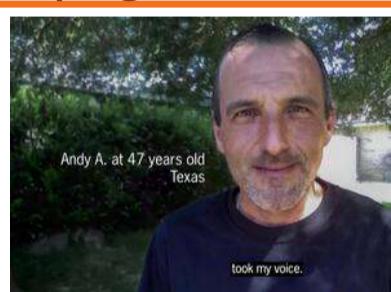
About MCRC

Educate audiences about the harmful effects of commercial tobacco use with the MCRC, your source for free and low-cost tobacco education campaign materials. This collection is available to the tobacco control community and partners to support your communications efforts. You can type in a keyword to start your search or use the section links to find ads for your campaign.

Featured Ads & Campaigns



Empower Vape-Free Youth™
Social Media - Limited Use
Agreement



Andy A., What Smoking Takes



Anne G., Future Tip



Elizabeth B., Sophisticated Tip

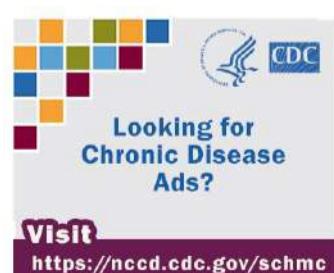


Fred W. Fishing Tip

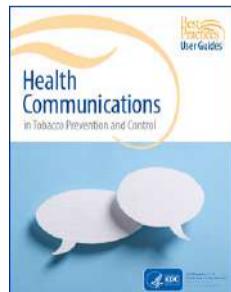
Additional Featured Content



Empower Vape-Free Youth



State & Community Health
Media Ctr



Health Communications User
Guide



Visit the Tips From Former
Smokers Website

Common Searches



Ads in Cycle Big savings! Check out our collection of advertisements in cycle (initial fees are paid). [Learn more ▶](#)



Free Ads Take a look at campaign materials which are free to use



New Ads Browse the newest submissions to the MCRC!